IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)
)
MANUEL VILLA, et al.) Group Art Unit: 1636
)
Serial No.: 09/678,339) Examiner: L. Gansheroff
·)
Filed: October 3, 2000)
)
For: CELLS ENGINEERED TO CONTAIN)
GENES OF INTEREST WITHOUT)
RESISTANCE GENE MARKERS AND)
MATERIALS AND METHODS THEREFO	OR)

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents Washington, DC 20231

Dear Sir:

In compliance with the duty of disclosure as defined in 37 C.F.R. § 1.56 enclosed herewith for the Examiner's consideration is a copy of the publication listed on the attached Form PTO-1449. This statement is made pursuant to 37 C.F.R. § 1.97(b) since a first Office Action on the merits has not been mailed in the above-identified application.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that:

(1) additional information material to the examination of this

application does not exist; (2) the information, protocols, results and the like reported by third parties are accurate or enabling; or (3) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Mary-Elizabeth Buckles Registration No. 31,907

REED SMITH LLP Attorneys for Applicants

Mary-Elizabeth Buckles 1301 K Street, N.W. Suite 1100-East Tower Washington, D.C. 20005 (202) 414-9267

Filed: January 5, 2001

_	<i>.</i>		
FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO.	SERIAL NO.	
(MODIFIED) PATENT AND TRADEMARK OFFICE	002547/20114	09/678,339	
INFORMATION DISCLOSURE	APPLICANT		
STATEMENT BY APPLICANT	Manuel Villa, et al.		
(Use several sh ets if nec ssary)	FILING DATE	GROUP	

(37 CFR 1.96(b)) October 3, 2000 1636 **U.S. PATENT DOCUMENTS** EXAMINER ISSUE FILING DATE IF INITIAL PATENTEE CLASS SUBCLASS TAB **PATENT NUMBER** DATE APPROPRIATE 3 3/29/38 Bartow, 1 2 1 2 5 5 1 et al. 2 5 2 9 2 6/25/96 Henry, et 5 9 al. 3 5 5 9 9 7 0 1 2/4/97 Henry, et al. 5 2 9 6 3 6 3/22/94 Agrawal, et al. 4/8/97 Shirai, 5 5 6 1 8 0 8 et al. 6 5 6 2 6 8 5/6/97 Agrawal, et al. FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION TRANSLATION YES NO PUBLICATION DATE COUNTRY OR SUBCLASS **DOCUMENT NUMBER** PATENT CLASS **OFFICE**

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

7	Sutcliffe, J.G., et al., <u>Proc. Natl. Acad. Sci. U.S.A.</u> 75:3737 (1978)								
8	Levy, S.B., Scientific American, March 1998, pp. 46-53								
9	http://biosafety.ihe.be/								
10	http://www.europa.eu.int/comm/food/index_en.html								
11	http://www.vm.cfsan.fda.gov/~dms/opa-micr.html								
12	21 C.F.R. 184.1370(c)								
13	Bartow, E., et al., <u>Ind. Eng. Chem.</u> 30: 300 (1938)								
14	White, M.J., et al., <u>J. Biol. Chem.</u> 266: 863 (1991)								
15	Hall, M.N., et al., Cell 36: 1057 (1984)								
EXAMINER	DATE CONSIDERED								

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with nox to communication to applicant.

FORM PTO-144	9 U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO.	SERIAL NO.	
(MODIFIED)	PATENT AND TRADEMARK OFFICE	002547/20114	09/678,339	
	INFORMATION DISCLOSURE	APPLICANT		
	STATEMENT BY APPLICANT	Manuel Villa, et al.		
(Use	several sheets if nec ssary)	FILING DATE	GROUP	
(37 CFR 1.96(b))	October 3, 2000	1636	

101 0111 110	-1-11														
U.	S. PA	TEN	IT D	OCI	JME	NTS	3								
EXAMINER									ISSUE			FILING DATE IF			
INITIAL	TAB	PATENT NUMBER					DATE	PATENTEE	CLASS	SUBCLASS	APPROPRI	ATE			
		_			_			<u> </u>							
						ĺi		l	i						
					Ì			l							
						[]		į							
				<u> </u>	 	├		 							
					1	· '	ŀ	i			1			1	
						1		1							
					1) '		ĺ			1			1	
						Ι.		ļ							
			_		├	├	├	 							
					1			ł			} '			}	
								1						i	
					1	1	1	ŀ							
				_	_		_				!				
					•	l		ĺ						į	
		-			├			├				· · · · · · · · · · · · · · · · · · ·	 		
					 			ļ							
								1						1	
					1		}	1		•				1	
F	OKE	GN	PA]	EN		<u> </u>	'UB	LISH		EIGN PATEN		ICATION			
									PUBLICATION	COUNTRY OR		1	TRANSI	LATION	
		סמ	CUM	ENT	NUM	BER			DATE	PATENT	CLASS	SUBCLASS	YES	NO	
										OFFICE					
		-								 	+				
					L	L.	L			<u> </u>					
										T T					
				Ī	1	l		1	1	1	1	-			
					_		_			 	+				
				l	[l	ļ	Į		ł			
					 -	<u> </u>			ļ	 					
								1		1	1				

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

EXAMINER		DATE CONSIDERED									
2	21	Hirsch, J.P., et al., Mol. Cell. Biol. 6: 3320 (1986)									
2	20	Ito, H., et al., <u>J. Bacteriol.</u> 153: 163 (1983)									
1	9	Hanahan, D. (1983) J. Mol. Biol. 166: 557									
1	8	Clarke, L., et al., <u>J.Mol. Biol.</u> 120: 517 (1978)									
1	7	Hershfield, V., et al., Proc. Natl. Acad. Sci. USA 71: 3455 (1974)									
1	6	Sambrook, Jr., et al., Molecular Cloning: A Laboratory Manual, 2 nd Ed., Cold Spring Harbor Laboratory, Cold Spring Harbor, NY (1989) pp. 1.3-1.5, 1.13									

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO									. ,	ATTY. DOCKET NO. SERIAL NO. 09/678,339						
(MODIFIED)			MAT					OFFIC	•		PLICANT	09/678,339				
			EMEN						I	Manuel Villa, et al.						
107 OFD 4	(Use s	ever	al she	ets if	nec	essar	'y)			FILING DATE GROUP						
(37 CFR 1.5	.S. PA	TEI	VIT · D	OC!	IRAC	ENIT			l	October 3, 2000 1636						
EXAMINER	.S. FF	T	VI L	000	UIVIE	-1413			ISSUE	T					FILING D	ATE IF
INITIAL	TAB	ــ	PATENT NUMBER DATE							<u> </u>	PATENTEE CLASS					
	ļ	<u> </u>	<u> </u>				<u> </u>			<u> </u>			_			
1	}					-				}	V					
		 	1	_		 	-	-	 	十一			+-			
· · · · · · · · · · · · · · · · · · ·	 	 				ļ	ļ			<u> </u>			1_			
		}	1										1			
!													1			
		T		-	<u> </u>	\vdash	-			1			T			
		-	-	-	-	-	-			-			+			
		-	-	-		-	-			├-			+		<u> </u>	
	<u> </u>	-	-			<u> </u>			ļ 	├-			┼		<u> </u>	
F	OREI	GN	PAT	EN.	TO	RP	UBL	ISH			N PATENT	APPLI	CAT	ION		
		DC	CUM	ENT	NUM	IBER			PUBLICATION DATE	PATENT OFFICE CLASS SUBCLASS TRAI						SLATION
		†	{					<u> </u>		+		+			YES NO	
		T	1				\vdash	 		\top		1	+		+	
	 	┼	 -	<u> </u>	_		ļ		ļ	4		- 	-		_	
		<u> </u>			<u> </u>											
		Γ										1	\neg			
		1								+		1	十			
OTHER D	OCU	ME	NTS	(In	clud	ling	Au	thor,	, Title, D	ate	, Relevant	Pages	, Pla	ace of I	Publica	tion)
	22	1	Gree	nher	σM	Ť	et al	Ger	netics 100(1)-10	0 (1082)					
														 		
	23	L							<u>ast 14</u> : 115	(19	98) 					
	24		Jone	s, J.S	S., et	al.,	Yeas	<u>t 6</u> : 30	53 (1990),							
	25	1	Gree	nber	g, M	., et	al., <u>I</u>	Mol. (Gen. Genet	. 180	<u>6</u> : 157 (1982)					
		十														
		\dashv														
EXAMINER	11	DATE CONSIDERED														

EXAMINER: Initial citation c nsid r d. Draw lin through citation if not in conformanc and n t consid r d. Includ c py of this form with n xt communication t applicant.